



CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430
Cityofelynv.gov

ELY CITY COUNCIL REGULAR MEETING

April 28, 2022 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Mayor Robertson called the regular meeting of the Ely City Council to order at 5:00 P.M.; Pastor Bob Winder offered invocation. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

Mayor Nathan Robertson
Councilman Kurt Carson
Councilman Ed Spear
Councilman Jim Alworth
Councilwoman Jerri-Lynn Williams-Harper

Members absent:

Councilman Ernie Flangas

City Officials and staff present in the building or via video conference:

City Clerk Jennifer Lee
City Treasurer-HR Director Janette Trask
City Attorney Leo Cahoon
Public Works Supervisor Mike Cracraft
City Engineer BJ Almberg
City Building Official Craig Peterson
City Fire Chief Pat Stork
City Municipal Judge Mike Coster (Zoom)
City Administrative Assistant Patti Cobb

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following persons attended via video conference: Geri Wopschall, and Concetta Brown.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: April 28, 2022

Print name below

Bill Wolf
Samantha Elliott
Cady S Bliss
Pastor Bob Winder
TERRELL TRASK
Jared Bybee
George Chachas
MICHAEL CASH
Marguerite

Print name below

2. PUBLIC COMMENT

George Chachas stated on your agenda item 6-3 you are to consider the Tree Boards recommendation on tree species to be planted at the Jack Caylor Park. There was nothing in the packet, but I would hope we would do more shade trees and not pine as we have enough of those. On your agenda item 7B-4 you are to review the 18.83-acre Georgetown Ranch bids with possible award. There was nothing in the packet to inform the public what that 18.83 acres is or where it is located and when the item was advertised. The item should have been on the Municipal Utilities Board Agenda first for discussion and consideration. In looking at the information given to me at the beginning of the meeting it states it is for a five-year lease and your City code I believe states clearly it can be for no more than three years. On April 27, 2022 I observed City crews laying down a cold overlay of asphalt on the block in front of Four Sevens Motel. The street crew was compacting asphalt by repeatedly running over it with a dump truck. The City Council needs to address the dire needs of the Street Department. A proper roller should have been used even if you had to borrow it from the County or lease one from a local contractor. On March 30, 2022 a family member of mine was given a Notice and Order for his rental property located at 842 East Aultman. The garage that was noticed was used as a gaming room for the family and the Building Official wanted sewer and water installed when nobody was living in there. Mr. Chachas stated ongoing concerns with his request for a list of RVs that have been permitted in the City and if they are paying utilities; the sewer locations on his property located on Great Basin Boulevard; and selective enforcement.

3. Mayor – Discussion/For Possible Action – Approval of Agenda, including removal of agenda items.

Councilman Carson moved to approve the agenda as presented. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ CITY ATTORNEY

City Attorney Cahoon stated we need an Ordinance amending Title 9 establishing the adoption of proper building codes. I will begin working on that and have it ready to present to the Council for the first reading in the next few weeks.

➤ CITY CLERK

City Clerk Lee stated on April 18th I received an email from the Governor's Office of Economic Development, and we are pleased to inform you that the following projects for the City of Ely have been approved for the 2022 CDBG grant year: The Bell Waterline Project for \$274,350.00, and the Parker/Stevens Avenue Sewer Project for \$373,350.00. We are very pleased about that. I would also like to acknowledge a \$25,000.00 donation from the Kenneth E. Frazer Family Trust for the Trap, Neuter, and Release (TNR) Program for feral cats. I have contacted all the veterinarians and one of them has responded that they are interested, and I will wait to hear from the other two and begin implementing that.

➤ CITY ENGINEER

City Engineer stated our Golf Course well is back up and running very smoothly and quietly; the motor had been sent off for maintenance and came back last week. Our North Street well did go down, so we are in the process of getting some quotes together to get that well up and running. The North Street Well has always been one of our back up wells that we truly have not even turned on over the last several years except to get water samples. We have been using this well this year with RP-7W being down. At this point we are running well, and our tanks are full of water every night and not running twenty-four hours a day at this point. We coordinated with Mike, Carl, and the water crew this last week to better utilize our 10th Street and Avenue M well. It is running infrequently throughout the day to keep the concrete tank, which is by the Bobcat up at the high school, full. It is one of our wells that by switching a few valves out in the street we can pump the water to the courthouse tanks. When summer comes, we will have the ability to turn that water over in a timely manner. We have been working on State Revolving Loans and a lot of the paperwork regarding the Aultman Street Project.

➤ CITY BUILDING OFFICIAL

City Building Official Peterson stated I am now certified in mobile homes.

5. REPORTS

➤ COUNCILMAN ALWORTH

Councilmember Alworth report for April 28, 2022, Council meeting.

I attended a ZOOM meeting put on by Nevada Rural Housing Director, Bill Brewer to discuss the critical need for housing in rural Nevada using ARPA funding. Rural Nevada continues to be in dire need of housing for medical personnel, miners, teachers, law enforcement officers and many other professionals that are willing to relocate to rural areas to live and raise a family, but there is no housing. Nevada Rural Housing stated for the most part rural Nevada communities don't qualify for assistance because the average wages are too high. But they are having no problem finding locations in the larger Cities, such as Las Vegas, Reno, and Carson City to build homes and apartments. Once again, it's my opinion that the areas that have most of the voters get all the attention and the money.

Donna Bath asked Brewer how many homes were built using assistance from the Nevada Rural Housing Authority? Brewer reported no new houses were built in rural Nevada in the last 2 years. Currently there is \$250 million of ARPA funds set aside for affordable housing needs.

I believe the hour-long discussion fell on deaf ears, once again! We must come up with ways to get housing in our City and County or we are going to slowly dry up as a community. Economic Development is not going to happen without adequate housing.

The Belfort land development idea has come to a grinding halt, no legal description can be located. The City has been directed to seek assistance from another Title Company.

I have been in contact with an individual who is interested in locating a piece of property in the City with water and sewer access to construct a 1,600 sq. ft. 3 bedroom, 2 bath home to demonstrate to the public how fast they can construct this style of home and have it ready for sale. There are many lots in our City that would fit the plan, however nobody wants to sell them.

The hopes of getting funding for the Hospital housing of traveling medical professionals is also not looking too promising. The committee has basically been told to look for alternate funding options. The City has approved \$500,000 of ARPA funds for the project. Plans will have to be put together to see how far the money would stretch. Matt Walker, CEO at the Hospital suggested we try and show the concept and how it will work; that way we might be able to get more buy in at the State or Federal level, or even with the local boards. Other angles to try and deliver on this plan are being pursued.

➤ COUNCILWOMAN WILLIAMS-HARPER

Councilwoman Williams-Harper stated at Rotary today we listened to White Pine County Manager Mike Wheable talk and he was very complimentary about working on the housing situation with the City Council.

➤ MAYOR ROBERTSON

Mayor Robertson stated I would like to congratulate the Tree Board for once again getting our certification for Tree City USA for another year. We are appreciative of the work they do in beautifying our community.

6. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE CITY TREE BOARD.

1. Chairman Wolf – Discussion/For Possible Action – Approval to allow the City Tree Board to apply for a grant through the Nevada Division of Forestry to pay for Tree Data inventory software with no match.

Mayor Robertson stated this item was recommended for approval this morning by the City Tree Board.

Councilman Alworth asked who will be administering the grant?

Tree Board Chairman Wolf stated talking with the folks with the Nevada Division of Forestry it appears it will be a grant that we will apply for, but they will get the money to get the product and then turn the product over to us.

Councilman Alworth asked what is the dollar amount?

Tree Board Chairman Wolf stated we don't know yet. The Nevada Division of Forestry has a new lady in the job, a new chunk of money coming in, and they are still not sure of the parameters on it. If it is approved tonight there will be no monetary match from the City, but possible an in-kind match. As part of our Tree City USA Application the City Treasurer comes up with the amount spent on arbor related work through the City parks and that comes to about \$15,000.00. If they need a match, that would be the match. We will be asking for a couple of tablets through the grant so that the program can be used out in the field rather than having to come back and do it on the computer. We expect it to be a three-year grant at this point which will cover the annual costs and then may have to be reevaluated. The data we do have available states there are 1,704 trees in the County with 317 located in Ely and I can provide the data if anyone is interested.

Councilman Spear moved to approve for the City Tree Board to apply for a grant through the Nevada Division of Forestry to pay for Tree Data inventory software with no cash match. Councilman Carson seconded the motion. The motion carried unanimously.

2. Chairman Wolf – Discussion/For Possible Action – Recommendation to allow the City Tree Board to work with White Pine County on developing a county-wide tree data base and county-wide tree plantings.

Mayor Robertson stated this item was recommended for approval by the Tree Board.

Councilman Alworth moved to allow the City Tree Board to work with White Pine County on developing a county-wide tree data base and county-wide tree plantings. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

3. Chairman Wolf – Discussion/For Possible Action – Approval of City Tree Board's recommendation on tree species to be planted as part of the Jack Caylor Park completion.

Mayor Robertson stated the Tree Board has concurred with the selection of trees that Civil Science Engineering has chosen.

Tree Board Chairman Wolf stated going through the list they are going to be putting in some flowering crab apple trees and all things that we have seen in our area before and should thrive.

Councilman Alworth asked who will be overseeing the planting of these trees?

City Clerk Lee stated Civil Science Engineering is the Project Manager.

Mayor Robertson stated Public Works Supervisor Cracraft and City Engineer Almberg have been interacting with the Civil Science Engineering on this project.

Councilwoman Williams-Harper moved to approve the City Tree Board's recommendation of concurring with what was selected by Civil Science Engineering on tree species to be planted as part of the Jack Caylor Park completion. Councilman Spear seconded the motion. The motion carried unanimously.

7. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 7A-1 Minutes and 7A-2 Bills.

Councilman Alworth disclosed I am a past member of the Volunteer Fire Department and bills that are paid on behalf of the City of Ely Fire Department I believe are paid in the best interest of the citizens.

Moved by: Councilman Carson Second by: Councilman Spear Vote: Unanimous

1. Discussion/For Possible Action –Minutes.
 - March 24, 2022

- 2. Discussion/For Possible Action –Bills.
 - April 15, 2022

B. NEW BUSINESS

- 1. Mayor Robertson – Discussion/For Possible Action – Approval of support letter for Bald Mountain Mine Plan of Operations Amendment #6 Juniper Project.

Councilman Spear moved to approve the support letter for Bald Mountain Mine Plan of Operations Amendment #6 Juniper Project. Councilman Carson seconded the motion. The motion carried unanimously.

- 2. Councilman Spear – Councilman Alworth – Discussion Only – Update on Porter Group efforts on the City of Ely’s behalf to secure federal and State funding.

Councilman Spear stated right now we are in a holding pattern and will be continuing to meet every two weeks.

- 3. Council Members – City Fire Chief Stork– Discussion/For Possible Action – Approval of 2022 Cooperative Fire Protection Agreement between The City of Ely Fire Department and the USDI, Bureau of Land Management Ely District.

City Fire Chief Stork stated this is to renew our operating agreement and is done every five years; the last time it was done was in 2018. It spells out how we work together and to update our contact information and radio frequencies.

Councilman Carson moved to approve the 2022 Cooperative Fire Protection Agreement between The City of Ely Fire Department and the USDI, Bureau of Land Management Ely District. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

- 4. Council Members – City Clerk Lee – Discussion/For Possible Action – Review of 18.83-acre Georgetown Ranch lease bids with possible award.

City Clerk Lee stated the bid invitation was published in the Ely Daily Times on April 8, 2022 and posted on the City’s website under bid invitations noting the term of the lease shall be for five years. We received two bids. The first bid was from Cody Bliss, Cody Coombs and Ben Noyce who also submitted ten- and fifteen-year plans as well, but the bid tab reflects the five-year option only. Their proposal totals \$18,000.00 in improvements over five years and \$6, 371.00 in total for lease fees. Jake and Jennifer Brunson proposed \$6,000.00 in improvements over five years and \$4,040.00 in lease fees.



City of Ely
Georgetown Ranch Lease 18.83 Acres
Bid Tabulation
Minimum Bid: \$650.00 Annually
Term of the Lease shall be for five years

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Bid Items	Cody Bliss, Cody Coombs, and Ben Noyes P.O. Box 150611 Ely, NV 89315 Elycody1@gmail.com 775-296-2204 (Bidder submitted 3 options including a 5-year, 10-year, and 15-year plan – information provided on tabulation is for 5-year plan)	Jake and Jennifer Brunson (Brunson Cattle Company) Jake – 775-296-1011
Proposed Lease Rate	\$1,200.00	\$0.00
Annual Cost-of-Living increase	3% for 2023 – 2026 2023 - \$1,236.00 2024 - \$1,273.00 2025 - \$1,311.00 2026 - \$1,351.00	Increased amounts 2023 – 2026 2023 - \$800.00 2024 - \$980.00 2025 - \$1,080.00 2026 - \$1,180.00

Bid Items	Name	Name
Planned Property Improvements	<p>Planned property improvements include maintenance and upkeep of existing fences, annual herbicide spraying of noxious weeds. The cost of maintaining the fencing is estimated at \$500.00 a year and weed/tree control is estimated at approximately \$550.00 a year for a total of \$2,500.00 in fencing and \$2,750.00 in weed/tree control for the five-year lease.</p> <p>The partnership among Cody Coombs, Ben Noyes, and Cody Bliss are committed to managing the property in the best interest of the public by making improvements to reduce and control noxious weeds, improve fencing, and visual appeal.</p>	<p>Year 1 - (Area 1 – see map) Agree to put completion of 7.5 acres of brush mowing with 20 lbs./acre of seeding with approved seed mixes and rabbit brush/weed treatment. The area will need some fence improvements and trash removal both of which will be worked on this year.</p> <p>Year 2 – (Area 2 – see map) 11 acres of seeding with approved seed mixes and fence maintenance as well.</p> <p>Year 3 – Weed and brush treatment for this year site wide.</p> <p>Year 4 -1,000 feet of new 4 strand barbed wire</p> <p>Year 5 – 1,000 feet of new 4 strand barbed wire</p> <p>Planned improvements, brush mowing, fencing and weed treatment estimate at \$5,000.00 in material investment costs not including labor.</p> <p>Lessee agrees to use electric fence and will use good rotational grazing practices and takes pride and ownership in their operational practices and would like the opportunity to make the area look nice for the public view.</p>
Intended utilization of the property	Livestock grazing for cattle and horses	Livestock grazing for cattle and horses

Mayor Robertson stated on the first page for the proposed lease rate where it has \$0.00 for the Brunsons and \$1,200.00 for Bliss, Coombs, and Noyes. How does their lease rate fit into that?

City Clerk Lee stated that is their proposal and the Brunsons are trying to put most of their improvements in the first year.

Mayor Robertson asked are the improvements separate from the lease rate?

City Clerk Lee stated yes, but I think that is why they are proposing not to pay a lease fee in the first year.

Mayor Robertson stated these bids were reviewed and acceptable by our attorney?

City Attorney Cahoon stated yes.

Councilman Alworth asked why did this item not get put in front of the Municipal Utilities Board?

City Clerk Lee stated it was a timing issue. If the existing lease holder opted to bid, which he didn't, but wanted to give him adequate time to move. He has been noticed and received the invitation. We could certainly delay it and put it in front of the Municipal Utilities Board on May 12th. At this point he knows by not bidding he is going to have to remove any of his items from the property.

Councilman Alworth stated the Council has the final say anyways; I was just curious.

Councilman Carson moved to award the 18.83-acre Georgetown Ranch five-year lease to the highest bidder, Cody Bliss, Cody Coombs, and Ben Noyes. Councilman Alworth seconded the motion. The motion carried unanimously.

5. Council Members – City Treasurer Trask - Discussion/For Possible Action – Approval of Resolution 2022-06 for the purpose of augmenting the City of Ely’s General Fund using unbudgeted revenue collected in the General Fund to apply towards the operating expenses in the General Fund.

Mayor Robertson stated for the benefit of the Council this is in relation to the American Rescue Plan Act (ARPA) funds and how we record those.

City Treasurer/HR Director Trask stated after the Council made the decision to use the revenue loss, I have done the accounting to record the expenses up through the end of March and that has created an unbudgeted revenue that we can use towards expenses that we have paid out in community services.

Councilman Alworth asked has this been ran through McKay?

City Treasurer/HR Director Trask stated yes, it has been run through McKay and also Keddington, our auditors.

Councilman Alworth moved to approve Resolution 2022-06 for the purpose of augmenting the City of Ely's General Fund using unbudgeted revenue collected in the General Fund to apply towards the operating expenses in the General Fund.

Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

8. PUBLIC COMMENT

Bureau of Land Management Bristlecone Field Manager Jared Bybee stated I would like to thank the Council for the support letter on the Bald Mountain Mine Expansion Project. I would also like to remind the Council that the BLM did provide an invitation to be a cooperating agency. The City of Ely can be a cooperator at any time even though we have already started the Environmental Impact Statement Process and we are in the scoping period which concludes on May 2nd. I just wanted to bring that awareness before we get going hard and heavy into the process that the City does still have that opportunity to be a cooperator. I would also like to point out our Project Manager Concetta Brown has joined this meeting via Zoom, and she would be a good point of contact if the City does decide they would like to be a cooperating agency which gives the benefits of being in the deliberative process.

George Chachas stated the new Justice Center does not meet minimum ADA compliance if you go on the southeast end, they have parking for the handicap, but you have to step up two steps in order to access the building. On the corner of Avenue D and Highway 93 the STOP sign keeps getting knocked down. You have talked about cleaning up the City and came after my family, yet nothing has been done on the 1100 block of Campton Street. Mr. Chachas stated ongoing concerns regarding nuisances around the City; his questioning the Regional Planning Commission (RPC) if they have addressed any of the City or County Code violations, his request for a complete list of RVs permitted in the City and if they are paying utilities; and that he has had to evict four people in the past due to his property supposedly not being up to code. You all cry because there is no housing available; I have property available, but I can't rent it because of all of you and your regulations.

9. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL.

Councilman Spear moved to adjourn the regular meeting of the Ely City Council at **5:38 p.m.** Councilman Alworth seconded the motion. The motion carried unanimously.

MAYOR

ATTEST